

**UNITED STATES DISTRICT COURT**  
for the  
**Eastern District of Pennsylvania**

United States of America )  
v. )  
Thomas Flynn, Jr. ) Case No.  
 ) 20-MJ-1863  
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 )  
 )  
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 )  
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*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 8/14/2019 and 9/22/2020 in the county of Bucks in the  
Eastern District of Pennsylvania, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2252(a)(2) and (b)(1)	Receipt of a visual depiction of a minor engaged in sexually explicit conduct
18 U.S.C. § 2252(a)(4)(B) and (b)(2)	Possession of and access with intent to view a visual depiction of a minor engaged in sexually explicit conduct

This criminal complaint is based on these facts:

See attached Affidavit.

Continued on the attached sheet.

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*/s/ Stefanie Snyder*

*Complainant's signature*

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*Stefanie Snyder, Special Agent, HSI*

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 11/16/2020 2:14 p.m.

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*/s/ The Honorable Timothy R. Rice*

*Judge's signature*

City and state: Philadelphia, PA

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*The Honorable Timothy R. Rice*

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Stefanie Snyder, a Special Agent with Homeland Security Investigations (“HSI”), being duly sworn, depose and state as follows:

**INTRODUCTION**

1. I am a Special Agent with the Department of Homeland Security (“DHS”), Immigration and Customs Enforcement, HSI, assigned to the Special Agent in Charge in Philadelphia, PA, and I have been so employed since 2003. As part of my daily duties as an HSI agent, I investigate criminal violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2252(a). I have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media, including computer media. I have also participated in the execution of numerous search warrants, a number of which have involved child exploitation and/or child pornography offenses.

2. This Affidavit is made in support of a criminal complaint charging Thomas J. FLYNN, Jr. (“FLYNN”) with: (1) 18 U.S.C. § 2252(a)(2) and (b)(1) (receipt and distribution of a visual depiction of a minor engaged in sexually explicit conduct); and (2) 18 U.S.C. § 2252(a)(4)(B) and (b)(2) (possession of and access with intent to view a visual depiction of a minor engaged in sexually explicit conduct).

3. I am familiar with the information contained in this Affidavit based upon the investigation I have conducted, information provided by other law enforcement officers who have engaged in numerous investigations involving child exploitation, and information from other witnesses.

4. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause in support of the attached criminal complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause for the arrest of FLYNN.

**STATUTORY AUTHORITY**

5. As noted above, this investigation concerns alleged violations of the following:

a. Title 18, United States Code, Sections 2252(a)(2) and (b)(1) prohibit any person from knowingly receiving or distributing, or attempting or conspiring to receive or distribute, any visual depiction using any means or facility of interstate or foreign commerce, or that has been mailed or shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer, or knowingly reproducing any visual depiction for distribution using any means or facility of interstate or foreign commerce, in or affecting interstate or foreign commerce or through the mails, if the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction is of such conduct.

b. Title 18, United States Code, Sections 2252(a)(4)(B) and (b)(2) prohibit any person from knowingly possessing or accessing with the intent to view, or attempting or conspiring to possess or access with the intent to view, one or more books, magazines, periodicals, films, video tapes, or other matter which contain any visual depiction that has been mailed, or has been shipped or transported using any means or facility of interstate or foreign commerce, in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed or so shipped or transported, by any means including by

computer, if the production of such visual depiction involved the use of a minor engaging in sexually explicit conduct, and such visual depiction is of such conduct.

**BACKGROUND OF THE INVESTIGATION**

6. Kik Messenger (“Kik”) is a mobile application designed for chatting or messaging, which is owned and operated by Kik Interactive, Inc. Once the application is downloaded and installed, the user is prompted to create an account and username. The user also creates a display name, which is a name that other users see when transmitting messages back and forth. Once the user has created an account, the user is able to locate other users via a search feature. While messaging, users can then send each other text messages, images, and videos.

7. On May 8, 2020, Australian Federal Police (“AFP”) arrested and charged Grant HARDEN (“HARDEN”) (date of birth: September 4, 1990; Snapchat username: baddado3; Kik username: picpsy03; email: ce20000@yahoo.com) with multiple child exploitation offenses in relation to an ongoing child exploitation operation. Analysis of electronic devices belonging to HARDEN revealed that he engaged in sexually explicit conversations, focusing on child exploitation, with Kik user TF198706.

8. HSI Philadelphia obtained a video file made by HSI agents in Australia, showing the filming of the examination of HARDEN’s cell phone. In this video, the Kik application on HARDEN’s cell phone is opened, and a chat conversation with the account user TF198706 (who had the display name “TOM”) is shown. The video shows the initiation of the conversation on August 4, 2019, through the conclusion of the conversation on August 6, 2019. The relevant content of this conversation is described below.

9. The following is a summary of the Kik communication between HARDEN and TF198706:

Between August 4-6, 2019:

On August 4, 2019, HARDEN sends an image of Child Sexual Abuse Material (“CSAM”), which was identified as depicting HARDEN’s minor son, to TF198706. The image is of a naked boy, with an adult male touching the boy’s penis.

In response, TF198706 replies, “Holy shit he’s perfect!!!! Is mum home??”

Also on August 4, 2019, HARDEN sends a video of himself masturbating, and the identified child sitting on the lounge in the background.

TF198706 replies, “So fucking hot man. Amazing!, He didn’t want to be jacked off?”

HARDEN replies, “[W]ish I had more time[.]”

HARDEN discusses he needs to leave and go to soccer.

On August 4, 2019, HARDEN sends a video of the child identified as his son, who is naked, in between the legs of an adult male, masturbating his erect penis, and the accused ejaculates onto his stomach.

TF198706 replies, “That’s amazing!!! I love how it shocked him. So worth being late lol.”

HARDEN responds, “Yeah misses wasn’t happy[.]”

TF198706 replies, “It was worth it[.]”

HARDEN then responds, “Wish he sucked it[.]”

TF198706 replies, “Same that would be amazing! Maybe next time. Taking a shower with him?”

HARDEN and TF198706 then discuss that TF198706 is at work and not “with yours.”

On August 4, 2019, at 8:53 p.m. AEST (which is August 4, 2019, at 6:53 a.m. EST), TF198706 replies, in response to HARDEN’s query, “you with yours,” “Nope still at work. It 6:54 am[.]”

TF198706 then writes, “Is your boy around to use?”

HARDEN replies, “Asleep, Jerked him to orgasm before he fell asleep.”

TF198706 writes, “I’m so horny too. I can’t wait to use my bitch boy tonight.”

HARDEN and TF198706 discuss how TF198706 is going to sexually abuse the boy he has.

TF198706 writes, “Yeah. He’s starting to like the taste[.]”

TF198706 further states, “You going to give more sleeping pills to your boy[.]”

HARDEN replies, “Yeah I’ll have too[.]”

TF198706 writes about how “his boy” is a friend’s child, whom he goes over to babysit, as “his parents are doing a run for charity.”

HARDEN writes, “So you can abuse their son[.]”

TF198706 replies, “Yes!!!! They are gone for at least 4 hours, So for at least 2 hours he’ll be screaming and crying[.]”

TF198706 further writes that he buys an Avengers toy from Walmart, shows the child the toy, and then tells him, “I say if you want this you know what to do. He strips and pulls my dick out and sucks it[.]”

HARDEN and TF198706 further discuss the sexual abuse of the child in TF198706’s care.

HARDEN asks for a picture of the child.

TF198706 sends an image of a four-to-seven year-old boy wearing shorts and a shirt.

On August 5, 2019, at around 2:12 a.m. AEST (which is August 4, 2019, at around 12:12 p.m. EST), HARDEN sends five videos of child exploitation material to TF198706, including one video of a toddler who has his hands tied together forcing his legs wide open.

TF198706 replies, “Nice!!! Anything younger? Lol Amazing!!! God I wish it keep going!! I should tie up my boy!”

TF198706 and HARDEN further discuss sexually abusing children.

9. I have reviewed the videos sent from HARDEN to TF198706 in the aforementioned Kik exchange, and I have confirmed that these videos constitute child exploitation material in violation of federal law.

10. On May 17, 2020, an HSI Special Agent in the Australia office submitted DHS Summons No. 0J-20-249 to MediaLab, Inc., requesting basic subscriber information on TF198706. MediaLab, Inc. is a holding company that recently acquired Kik.

11. On June 29, 2020, MediaLab, Inc., provided the following response – Username: TF198706; First Name: “Tom”; Last Name: “.”; Email: tf198706@gmail.com; Activity IPs: 173.39.52.159, 98.114.140.71.

12. On July 19, 2020, the HSI Special Agent in the Australia office submitted DHS Summons No. 0J-20-340 to MCI Communications Services (d/b/a Verizon Business), requesting subscriber information on the IP addresses 173.59.52.159 and 98.114.140.71.

13. On July 21, 2020, Verizon Business provided the following information – Target IPs: 173.59.52.159 and 98.114.140.71; Customer Name: Josh Buittner; Address: 1652 Bluebird Dr, Apt B, Lower Makefield, PA 19067; Phone: 215-666-1118; Email: Jbuittner@msn.com.

14. The address 1652B Bluebird Drive in Lower Makefield, PA is also found in “Google Maps” as 1652B Bluebird Drive in Yardley, PA. Both addresses correspond to the same location.

15. A search of public access databases shows that Thomas FLYNN, Jr. (date of birth: October 16, 1987) is listed as an associate of Buittner, and lives at 1652B Bluebird Drive. The initials for FLYNN would be “TF,” and his year of birth is 1987, both corresponding with the username TF198706.

16. A search of Pennsylvania Department of Transportation (“PennDOT”) records shows a Pennsylvania Driver’s License for FLYNN with the address 1652B Bluebird Drive, Yardley, PA 19067.

17. A Google Search of “TF198706” produced a YouTube channel under username TF198706 that had posted 19 videos in 2012. The videos are images of young men doing acrobatics at a gymnastics gym. In the videos, the men are heard conversing with the person filming, and calling the person “Tom.” In one video, the person filming hands the device to another person and is then in the video. A screenshot of this person, “Tom,” was compared to the DMV photo of FLYNN. Based on my review of the images, I believe them to be the same person. Accordingly, based on my training, experience, and the facts gleaned through this investigation, I have probable cause to believe, therefore, that FLYNN was using the username TF198706 on Kik, and thus received the child exploitation material on August 4, 2019.

18. An administrative summons issued to Google resulted in the following subscriber records for the TF198706@gmail.com account – Name: Tom Flynn; created on September 28, 2008; SMS: 267-879-9577; Last Logins: December 13, 2019, at 21:36 UTC (4:36 p.m. EST); IP Address on December 13, 2019, 21:36 UTC (4:36 p.m. EST): 173.59.52.159.

19. The IP address last used to log in to the TF198706@gmail.com account on December 13, 2019 is the same IP address that the Kik user TF198706 – whom I believe to be FLYNN – used during the chats with HARDEN, in which child pornography was received by TF198706.

20. On August 14, 2020, the Honorable Marilyn Heffley, U.S. Magistrate Judge for the Eastern District of Pennsylvania, issued a search warrant for the residence at 1652B Bluebird Drive, Yardley PA in Crim. Case No. 20-MJ-1365. Law enforcement executed this warrant on August 18, 2020. During the execution of the warrant, agents located a Samsung cellular telephone belonging to FLYNN. The phone was searched pursuant to the search warrant, and among the evidence found on the phone was a Dropbox, Inc. (“Dropbox”) account registered to

the email address [TF198706@gmail.com](mailto:TF198706@gmail.com), which belongs to FLYNN. Within the Dropbox application on the phone, agents observed multiple files of child exploitation material. One of these files was dated “3 months ago,” which I viewed. This file was an image that depicted a prepubescent boy laying on a couch with his penis exposed and his hands on his penis.<sup>1</sup>

21. On August 18, 2020, a preservation request was sent to Dropbox, asking that all records and content associated with the account [TF198706@gmail.com](mailto:TF198706@gmail.com) remain preserved. Dropbox confirmed receipt of the request and preserved the content.

22. On August 26, 2020, the Honorable Timothy R. Rice, U.S. Magistrate Judge for the Eastern District of Pennsylvania, signed a search warrant under case number 20-MJ-1430, authorizing the search of the Dropbox account associated with [TF198706@gmail.com](mailto:TF198706@gmail.com), belonging to FLYNN. On August 27, 2020, I served this search warrant on Dropbox via their law enforcement contact and received confirmation of their receipt.

23. On September 22, 2020, I received the information requested from Dropbox. This included the files stored in this Dropbox account, as well as subscriber information for the account. The following account information was received:

User ID:172877327  
Full Name: Tom Flynn  
Email address: [tf198706@gmail.com](mailto:tf198706@gmail.com)  
Account Creation Date: 2013-05-15 06:22:27 UTC (2:22 a.m. EST)  
Account Status: Active  
Billing Activity: No information available

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<sup>1</sup> At the time of the review of FLYNN’s cell phone, the phone was placed into airplane mode, preventing the phone from accessing the wireless network or any Internet so that changes were not made to the content of the phone at the time of the seizure. Because the phone could not connect to the wireless network or the Internet, agents were only able to view files saved in the Dropbox application located on the cellular phone, not any of the files stored on the Dropbox cloud storage. In order to view the files contained in the Dropbox account and the Dropbox cloud storage, a search warrant for the Dropbox material was obtained.

24. I viewed the files in the Dropbox storage account. There were a total of 61 files in this account. I confirmed that there were 28 unique videos of child exploitation material, in violation of federal law, with a total run time of 2 hours, 11 minutes, and 58 seconds. Four of these videos contained images of adults having sexual contact with infants and toddlers. There were also 12 images and 21 videos that are age-difficult and could be child exploitation material, but it is not clear if one of the individuals involved in the sex act is undeniably a minor. These videos totaled 50 minutes and 3 seconds of video.

25. The following files are some of the videos described in paragraph 24, with a specific description of the content of the video files:

remote44810b4400000014.mov	Video of a prepubescent boy performing oral sex on an adult male
CuteB3JPGVideo.avi	Video of two prepubescent boys in which one is performing oral sex on the other
[MB] [Anal] from above.AVI	Video of a prepubescent child being anally raped by an adult male
remote5260d405000001cb.mov	Toddler boy being anally raped by an adult male
remote52181cc2000002ee.mov	Infant/toddler boy being anally raped by an adult male
remote52181cc20000037d.mov	Infant/toddler boy being anally raped by an adult male
remote52181cc2000002c4.mov	Compilation video of infants and toddlers being anally and orally raped by adult men

**CONCLUSION**

25. Based upon the information above, I respectfully submit that there is probable cause to believe that Thomas J. FLYNN, Jr. did receive and possess child pornography, in violation of Title 18 U.S.C. Section 2252.

26. Therefore, I respectfully request that the attached arrest warrant be issued authorizing FLYNN's arrest.

*/s/ Stefanie Snyder* \_\_\_\_\_  
STEFANIE SNYDER  
Special Agent, Homeland Security  
Investigations

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 16<sup>TH</sup> DAY  
OF November, 2020. 2:14 p.m.

/s/ Honorable Timothy R. Rice

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HONORABLE TIMOTHY R. RICE  
United States Magistrate Judge